

Title: **Gender Queer : A Memoir**

Producer(s): **ONI PRESS**

Director(s): **Maia Kobabe**

Applicant: **Kinokuniya Bookstores of Australia**

File Number T23/18990
Panel Member s22(1)(a)(ii) - irrelevant material
New Publication
Format Paperback
Duration 240
Version Original
Country USA
Language English
Production Date 2020
Viewing Room Desk
Viewing Date 24/3/2023

PUBLICATIONS

☐ UNRESTRICTED <u>or</u> ☒ UNRESTRICTED - M	<u>Covers:</u> ☒ Both front and rear covers are suitable for public display (otherwise not permitted in this category) <u>Contents:</u> ☐ is not likely to include material that offends a reasonable adult to the extent that it should be restricted; <u>And/or</u> ☒ includes material that is not recommended for some readers, ie, "Unrestricted - M - not recommended for readers under 15 years." In exceptional circumstances, the Board may impose a condition that it not be sold, displayed for sale or delivered unless it is contained in a sealed package (section 13A of the Act).
☐ CATEGORY 1	<u>Packaging condition:</u> <u>Either</u> ☐ Sealed wrapper (front and rear covers suitable for public display) <u>Or</u> ☐ Plain opaque sealed package: ☐ Front only ☐ Rear only ☐ Front and rear
☐ CATEGORY 2	
☐ RC	☐ 1(a) ☐ 1(b) ☐ 1(c)

Signature:

s22(1)(a)(ii) - irrelevant material

Date: 24/3/2023

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13 kids urinating, naked bums.

61- Sex ref's / imagery.
63

76 "

93 "

128 Injury + blood.

135- Sex'd imagery + refs.
141

162 sex refs

166 "

167 sex imagery.

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Viewing Room
D5L

Viewing Date
22/3/23

Page 5 of 64

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drawing of figures standing in water removed → Split not possible
 - Stonewall
 Hower book citation states American Library Association

Rear Cover

blurb → interests captured autobiographies
 path to (daughter) as non-linear and asexual
 addressing themes about gender identity

2 a work of non-fiction

4 character central character is 24 years old

9 title repeated fully intro scene settings

18 draws of children characters - no sexual nudity

17 'girls have couples'

20 21 story about being asked to put on skirt as action

28 reading Harry Potter

24 first read line of blood on underwear

33 near to see feet so by dried blood turned dark

blood on thighs
 withered into several blood

76 'soup of blood + shirt'

74 day dreaming about breast cancer excuse to have breasts removed

44 queer - straight alliance meeting

52 body odor issue

58 discovery of Bruce's music

60 it on 17 fantasies about having a penis

61 draws of two characters embraced + kissing baptism made

fantasy about clouds described in text
 discussion with sister about masturbation

63 as a teen (not hard of masturbation)

65 connects about sexual identities knowledge of a third opinion...

(never want to have sex)

70 questioning sexual / gender identity

74 library staff of queer books
76 high school sex ed classes
81 hair cut if only could get rid of my breasts
notation for a boy
never wanted to be a 'girlfriend'
(7) 93 dreamed about having a massive painful woman
95 tell mother about being 'b'
100 breast binding for pleasure production
107 meets Arthur
117 I found dates + relationships deeply confusing
116 interest in erotic sex fiction
123 gynecologist visit
124 male nurse breasts + pubic hair
127 preconcipitate hair
image of M crumpled over male spec. through body
from abdomen
(3) 128 perhaps could enter it again
173 cartoon discussed red clay Greek pottery image of two
figures meet penis (fantasy said in Plato's Symposium)
(5) 139 bullet vibrator
140 its feels very weird
143 cis gender term
148 (hope you don't live your body)
157 for fiction research
autismophilia - sexually aroused at thought of having male genitalia
162 during - details of sexual life
groomed out by some body fluids
166 setting - scenes 'your credit in my world' get you full blown
of your life
167 fantasy - girlfriend perform anal sex or group
173 procreant
181 boy's underwear
187 advice on supposedly young people who had some feelings about
gender

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189

C. Lum, C. in

pronouns

FOI 23-239

Jason
guar.

③ ②

195

I have a head the sees the trend of FTA's trends and
young people as some you often find a kind of ambiguity.
have I been brain washed into having parts of myself?

197

Touching a place - the self as dream

200

You could have male genital and a female brain

202

a huge part of who I am is due to the suite of hormones + neurochemicals
present in the womb as my cells developed

207

given binders

211

I dream of top surgery

213

I have a lot of gender dysphoria around my genital

214

the specular enters us but we're like a half dead person
in a region

221

blind in specular

224

new clothes

226

teacher - decision not to discuss reasons

230

even if I fail to give my answers (fact like a command)

240

final page

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Title: **Gender Queer :** *Knobloch*
A MEMOIR

Producer(s): **ONI PRESS**

Director(s): **Maia Kobabe**

Applicant: **Kinokuniya Bookstores of Australia**

File Number	T23/18990
Panel Member	s22(1)(a)(ii) - irrelevant material
New Publication	
Format	Paperback
Duration	240 ✓
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PUBLICATIONS

☐ UNRESTRICTED <u>or</u> ☒ UNRESTRICTED - M	<u>Covers:</u> ☒ Both front and rear covers are suitable for public display (otherwise not permitted in this category) <u>Contents:</u> ☒ is not likely to include material that offends a reasonable adult to the extent that it should be restricted; <u>And/or</u> ☒ includes material that is not recommended for some readers, ie, "Unrestricted - M - not recommended for readers under 15 years." In exceptional circumstances, the Board may impose a condition that it not be sold, displayed for sale or delivered unless it is contained in a sealed package (section 13A of the Act).
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☐ CATEGORY 2	
☐ RC	☐ 1(a) ☐ 1(b) ☐ 1(c)

Signature: s22(1)(a)(ii) - irrelevant material

Date: 27/3/23

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- 1 large white text - GENDER QUEER
under title - A MEMOIR MARIA KOBABE
illustrated / simple line drawing cover image - coloured.
male presenting figure in top half. dark background.
water at middle section.
reflexion - long haired figure knee deep in water.
forested background
circle - Stonewall Honor Book. American Library Association.
- 2 trees. roman gender symbols.
- 3 large print - GENDER QUEER A MEMOIR BY MARIA KOBABE
COLORS BY PHOEBE KOBABE
- 4 publication details: May 2020
THIS IS A WORK OF NON-FICTION.
- 5 3 panels. young adult book more in w.
- 6 24yo. moved to SF
- 7 defensive of secrets.
- 8 ^{your} demons - gender things. embossed. hot work.
- 9
- 11 GENDER QUEER a memoir BY MARIA KOBABE
- 13 Oct 1992. NorCal. 3.5yo
- 14 dreamed neighbor - Gabe. in dress.
- 15 children peed in yard.
- 17 snakes.
- 19 First grade school. cooties.
- 21 boy or a girl? Gabe wouldn't tell.
- 22 took shirt off to swim.
- 25 parents not interested in gender roles.
- 27 stained legs. pumpy and embossed.
information I lacked.
- 31 stomach hurts. blood in underwear.
- 33 toilet. periods. normal for teen girls.
- 36 gift for starting period. never wore necktie.
- 37 hide period. bloody pad. legs smeared in blood.
- 38 still with no doors. soup of blood and shit
- 39 blood on pants. men/women. toilet line.
- 40 dream about removing breasts.
- 43 mother was going to call her Robin. not for neutral name.
- 44 1st crush - Gabe. 2nd crush - girl in 2nd grade.
- 45 3rd - boy. 4th - girl. "gay", "lesbian"
just a phase.
- 46 still freaking out about being a lesbian.

48 David - start a QUEER STRAIGHT Alliance.

51 discuss gay marriage in MA. FOI 23-239

53 friend - unbearable after reading gay romances.

54 wear deodorant.

59 listen to David Bowie - crush likes music.

62 fantasize about having a penis. 11-12yo.

63 masturbation - such a part of parts. The Budge.

2 male characters living, naked.

got off while imagining a slow job while driving.

64 discuss sex with mother. vaginismus.

66 attracted to androgyny.

67 fantasies - ^{2 gay} men. crushes on women.

69 2 half souls.

70 lost male twin.

72 consider whether trans.

73 want to be myself.

76 read more queer books.

77 books with some gay sex scenes.

78 sex ed.

82 haircut. bob → shorter.

83 loved being referred to as male.

86 suppressive sister.

87 genderless person.

89 asked on date.

91 boy called her girlfriend. panic.

93 never be a girlfriend.

95 dreamed about a massive painful boner. dreamed of a beard.

96 coming out journey.

102 first binding experience. danger of cracked ribs.

103 never wore it after being in public.

106 came out at work - library job.

107 need a book on human sexuality.

109 meet Autumn.

110 after hook up.

112 embowered. nuns.

112 16 menages.

113 practice relationship.

114 Dad - can always say no.

116 friendship. companionship. sex. gross.

119 assign sensation to body part I don't have.

121 Johnny Weir costume.

- 122 goal was gender balance.
- 126 gynaecologist. change to role. FOI 23-239
- 127 pap smear.
- 128 lots of non-anatomical questions.
- 129 45 seconds of excruciating pain.
- 130 impacted that lower body.
horr at things going with body.
- 133 nothing to enter vagina again.
- 134 are you gay? bi.
- 136 asexual. feel lost.
- 137 fertility. Plato. 2 penis having figures.
more interest with genitals - less likely satisfied.
- 138 gave up washing.
- 140 vibrator.
- 143 give other vibrator.
- 147 don't identify as cis-gender.
- 149 come out to mother.
- 150 don't tell your body.
- 151 never having children.
- 156 write fan fiction.
- 157 need to reconsider coming out.
- 158 set up Tinder profile.
- 159 Autoandrophilia
- 160 Tinder journey.
- 161 alcoholic drink.
- 163 make out with her for myself.
- 164 upfront about sexual experiences.
- 168 dating 2 months.
strap on harness. look hot. slow job. so turned on.
- 169 top down, urge. Pelletto of dildo. try something else
couldn't feel anything.
- 170 not one I need sex. orgasm in spite of body.
- 172 stop dating. sent out gender.
- 173 correct pronoun usage.
- 178 Anna - sister's df. takes testosterone.
- 177 ~~177~~ want people to be confused about gender.
- 179 get Ashley to write sex scenes.
- 185 buy boy's underwear.
- 187 what to do if approached by young person with gender questions.
- 189 Jenna Bee. pronouns: E.

190 identify as nonbinary ^{feel like} drag queen in a female body.
e/em/air.

194 Winter 2016.

195 family appears change.

197 aunt - FTM trans, gender queer - misogyny
internalised hatred of women. not what it is.

199 always wanted a third option.

202 Touching A Nerve

203 oestradiol - masculinising.

205 disconnected - gonads and brain.

208 intrusive trying to change pronouns.

209 solvable discomfort.

213 gifted binders.

215 dream of top surgery - 28yo.

217 call for papers.

219 experience was worse.

221 really nervous. gender dysphoria.

222 withdrew.

223 new apartment with meds. bloody specimen.

225 threw up. meds.

226 nothing to report.

227 March for trans rights. didn't dress up.

229 would wear Alexander McQueen.

231 collect queer + magical clothes

233 new cousin.

235 Fall 2017 - teach comic workshops

236 haven't used pronouns in class.

237 praised - female artist role model.

238 11-14yo AFFAB students. confusion years.

241 come out next time. non binary teacher.

242 note to parents.

243 trees. gender symbols.

244 autobiography. nonbinary and asexual. family and society.
useful, touching guide. e/em/air

Rear
Cover

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Australian Government
Classification Board

Level 6, 23-33 Mary St
Surry Hills NSW 2010, Australia
Telephone: +61 9289 7100
classification.gov.au

Application Information

Application Type: New Publication

Organisation: Kinokuniya Bookstores of Australia

Application Started by: s47F - personal privacy

File Number: T23/18990

Basic Information

Title: Gender Queer

Genre(s):

Other Titles:

Adequate Synopsis:

Year of Production: 2020

Contributors:

Name	Type
Maia Kobabe	Author
Oni-Lion Forge Publishing Group	Publisher
9781549304002	ISBN/ISSN
9781637150726	ISBN/ISSN

Languages:

Language	Subtitles Available
English	

Countries of Origin: USA

Submitted Formats: Paperback

How Many Pages: 240

Post-print Modifications?: No

Post-print Modification Details

Page Number	Description

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Payment Information

Priority Application: No

Prescribed Charge Code: P3

Application Fee: \$560.00

Declaration

For your application to be processed, you must make the following declaration.

I declare that:

- I have read and agree to the [Classification Portal Terms and Conditions](#)
- I have submitted all material at my own risk and expense.
- I am aware that this application cannot be processed until I have supplied:
 - a copy of the publication
 - the prescribed fee
- I understand that the actual fee for the application will be the fee prescribed by Regulations under the Classification (Publications, Films and Computer Games) Act 1995, which may be different from the fee estimated in this application.
- I agree that I, or my organisation, will pay the full value of the prescribed fee.
- The information contained in this application is true and correct and is not false or misleading in any way. I acknowledge that providing false or misleading information may constitute an offence under the Criminal Code Act 1995.
- I agree to provide further information if requested by the Board to assess my application.
- In the instance that I provide my media on a physical device, I will include a printed copy of the media receipt.

Declaration Accepted: Yes

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Australian Government
Classification Board

Level 6, 23-33 Mary St
Surry Hills NSW 2010, Australia
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classification.gov.au

File No: T23/18990

Classification No: CLAS-108096

Attention: s47F - personal privacy

P2, The Galleries, 500 George St
Sydney, NSW 2000

CLASSIFICATION CERTIFICATE FOR A PUBLICATION

I refer to an application under section 13 of the *Classification (Publications, Films and Computer Games) Act 1995* (the Act) for the classification of the undermentioned publication. I certify that in accordance with the Act, the decision of the Classification Board for this publication is as follows:

Title:	Gender Queer
Alternate Titles:	
Version:	Original
Format:	Paperback
Number of Pages:	240
Publisher:	Oni-Lion Forge Publishing Group
Author:	Maia Kobabe
ISSN/ISBN:	9781549304002, 9781637150726
Country of origin:	USA
Classification:	Unrestricted
Consumer Advice:	M - Not recommended for readers under 15 years
Conditions:	

This publication and its associated advertising are required to display the above classification and consumer advice. The requirements are set out in the *Classification (Publications, Films and Computer Games) (Markings and Consumer Advice) Determination 2014*. The Determination is available at www.classification.gov.au.

Certified

s22(1)(a)(ii) - irrelevant material

Fiona Jolly
Director
Classification Board
Date: 3/04/2023

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Conditions imposed by the Board:

Under section 13A of the Act, the Board may, if it classifies a publication Unrestricted, impose a condition that it not be sold, displayed for sale or delivered unless it is contained in a sealed package.

The Board may, if it classified a publication Category 1 restricted, impose a condition that it not be sold, displayed for sale or delivered unless it is contained in a sealed package made of plain, opaque material.

Review of Decision:

Section 42 of the Act provides that certain persons, including the applicant for classification, may apply to the Classification Review Board for a review of the decision of the Classification Board. Generally, an application for review must be made within 30 days after the applicant received notice of the decision (section 43). More information about the review process is available at www.classification.gov.au or by contacting the Classification Branch on (+61 2) 9289 7100 or applications@classification.gov.au.

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File No: T23/18990

Decision Report

Classification decisions are made in accordance with the *Classification (Publications, Films and Computer Games) Act 1995* (the Act), the National Classification Code and the Classification Guidelines.

Production Details:

Title:	Gender Queer
Alternate Titles:	
Publisher:	Oni-Lion Forge Publishing Group
Author:	Maia Kobabe
Year of Production:	2020
Number of pages:	240 pages
ISSN/ISBN:	9781549304002, 9781637150726
Version:	Original
Format:	Paperback
Country of origin:	USA
Language:	English
Application Type:	New Publication
Applicant:	Kinokuniya Bookstores of Australia

Dates:

Date application received by the Classification Board:	22/03/2023
Date of decision:	3/04/2023

Decision:

Classification:	Unrestricted
Consumer Advice:	M - Not recommended for readers under 15 years
Conditions:	

Synopsis:

Gender Queer: A Memoir is an autobiographical non-fiction graphic memoir, written by Maia Kobabe, that explores the author's path to identifying as nonbinary and asexual. This 240-page edition was published in 2020 by Oni-Lion Forge Publishing Group.

Reasons for Decision:

In making this decision, the Classification Board has applied the *Classification (Publications, Films and Computer Games) Act 1995* (the Classification Act), the National Classification Code (the Code) and the Guidelines for the Classification of Publications 2005 (the Guidelines).

In the Board's view this publication warrants an Unrestricted classification, in accordance with item 4 of the

Publications table of the Code.

Pursuant to the Guidelines, this content is classified Unrestricted as it does not include material that is likely to offend a reasonable adult to the extent that it should be restricted. A 'reasonable adult' is defined in the Guidelines as, "possessing common sense and an open mind, and able to balance personal opinion with generally accepted community standards".

Publications classified Unrestricted may include material that is not recommended for some readers, including those aged under 15 years. Publications classified Unrestricted that contain material that is not recommended for readers under 15 may be required to carry consumer advice of M - Not recommended for readers under 15 years.

The Unrestricted classification encompasses a wide range of material. Generally, descriptions and depictions of classifiable elements in publications classified Unrestricted may contain some detail. However, the impact will not be so strong as to require legal restriction.

The impact of covers of Unrestricted publications will be low.

In the Board's view, this publication can be accommodated in the Unrestricted classification as, within the context of the publication, the treatment of themes is not high in impact or offensive, and the treatment of sex and nudity is also not high in impact and is not exploitative, offensive, gratuitous or very detailed. Given the context of the publication's narrative and its literary, artistic and educational merits, the Board does not consider that the publication contains material that offends a reasonable adult to the extent that it should be restricted.

The examples described below do not represent an exhaustive list of the content that caused the publication to be classified Unrestricted.

ADULT THEMES, SEX and NUDITY

Descriptions and depictions of adult themes should not have a high impact or be offensive. The treatment of themes with a high degree of intensity should be discreet, low in impact and not exploitative. Generally, the stronger the theme, the more discreet the treatment. Descriptions and depictions of sexual products and services that are restricted to adults should be discreet and have a low impact.

Descriptions and depictions of, and references to, sexual activity involving consenting adults should not be exploitative or offensive. Realistic descriptions of sexual activity involving adults should not be gratuitous or very detailed. Sexual activity involving consenting adults may be discreetly implied in realistic depictions. It should not be high in impact. Descriptions and stylised depictions of sexual activity involving consenting adults may be more detailed than realistic depictions if this does not increase the impact.

Descriptions and depictions of, and references to, nudity should not be exploitative or offensive. Realistic depictions of sexualised nudity should not be high in impact. Realistic depictions may contain discreet genital detail but there should be no genital emphasis. Prominent and/or frequent realistic depictions of sexualised nudity containing genitalia will not be permitted. Realistic depictions in which sexual excitement is apparent are not permitted. Stylised depictions of nudity may contain more detail than realistic depictions if this does not increase the impact. Descriptions of nudity may contain more detail than depictions if this does not increase the impact.

The classifiable elements of themes, sex and nudity are inextricably linked in the publication, which is an autobiographical non-fiction graphic memoir that explores the author's path to identifying as nonbinary and asexual. The content is depicted through stylised illustrations, which are presented sequentially, and accompanying text. The Board notes that the Guidelines define 'stylised' depictions to 'include cartoons and

other unrealistic illustrations and images.'

The publication details on page 2 contain the statement, "This is a work of non-fiction." The memoir begins with an introductory section, which notes that the author began work on the text while enrolled in a subject covering autobiography as part of a master's degree in comics at the age of 24 years. The text then recounts anecdotes from the author's childhood, adolescent and young adult experiences with ideas of gender.

On page 60, the author recounts a memory, explaining, "I was 11 or 12 years old the first time I can remember fantasizing about having a penis. I was lying, fully clothed, on a hillside under an open sky. I held a folded handful of grass between my legs. Safe in the knowledge that, if discovered, I could release my imaginary member and it would disintegrate back into scattered stalks." The text continues on the following page: "For years my standard method of masturbation was stuffing a sock into the front of my pants and manipulating The Bulge. This would evolve into hip-thrusting while thinking of my latest gay ship." (In this context 'ship' denotes a fantasy in which people, typically fictional characters or famous people, are believed to be involved in a relationship whether or not the romance actually exists.) The comment about a fantasy relationship is accompanied by a drawing that depicts two people in an embrace and kissing. The image includes partial buttock nudity of a dark-haired character who is lying between the legs of a blond character but does not include any genital detail or depict any explicit sexual activity. The lower third of page 61 features a cropped image of a person depicted from chest down with a hand resting between their legs as they drive a car. The image is accompanied by the text, "Memorably, I got off once while driving just by rubbing the front of my jeans and imagining getting a blow job."

On page 62, the author's sister asks, "It really never occurred to you to put something into your vagina, not even a finger? ... So you've never tasted yourself? ... You should try." A drawing then depicts the author holding up a finger with a white substance on the fingertip and a caption identifying the substance as 'vagina slime'. The author contemplates the substance before commenting, "I have an extremely low sex drive compared to pretty much all my friends. As a teen I got bored of masturbation."

On page 63, the author comments, "The main trait I've always been attracted to is androgyny." On page 64, the author continues, commenting, "My deepest emotional relationships have always been with women. Did that mean I was a lesbian? But my fantasies involved two male partners. Was I a gay boy trapped in a girl's body? The knowledge of a third option slept like a seed under the soil." On page 71, the author quotes from a diary entry written as a 15-year old: "I don't want to be a girl. I don't want to be a boy either. I just want to be myself."

The narrative then covers the author's adolescent interest in queer literature, discomfort with 'girly' activities and attributes, and embarrassment related to romantic 'crushes'. On page 123, the author commences an anecdote about a pap smear. On page 124, a small drawing in the lower left-hand corner depicts the author standing nude in an image that includes breast nudity and pubic hair covering genitalia. On page 127, the pap smear is described as "45 seconds of the most excruciating pain of my life". On the following page, a drawing depicts the author crouched over with a large metallic blade protruding through the abdomen. This image is accompanied by the text, "I felt as if I had been stabbed through my entire body and with this came a wave of psychological horror at the realization [sic] that things can go inside my body."

On page 134, the author at age 14 is depicted telling a friend, "I think I'm asexual." On the following page, the author writes about masturbation, commenting, "I discovered it at around the same age, followed by the further realization that my ability to become aroused was governed by a strict law of diminishing returns. The more I had to interact with my genitals the less likely I was to reach a point of any satisfaction. The best fantasy was one that didn't require any physical touch at all." These comments are accompanied by a highly-stylised drawing that depicts two nude male figures in the style of ancient Greek red-figure pottery. In this pottery illustration, a bearded male with an erection kneels before a smaller male figure, cupping his hand beneath the smaller figure's penis. The highly stylised illustration of the pottery is identified as 'An elaborate fantasy based on Plato's Symposium'.

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On page 138, the author discusses the purchase of a '\$10 bullet vibrator'. The vibrator is depicted in a drawing as an egg-shaped object attached by a cable to a control with a heart-shaped switch. On page 140, a series of drawn panels depict the author's face as the vibrator is implicitly used. The author does not enjoy the sensation, turns off the vibrator and comments, "That was not for me!"

On page 157, after asking for help setting up a Tinder profile for research, three illustrated panels outline some of the other avenues of research that were undertaken by the author. These include, "Watched 10 hours of modern college dance performances," "Spent several days driving around San Francisco scouting locations" and "Toured the SF Armory, which at the time housed the filming studios of Kink.com". The picture accompanying the reference to 'Kink.com' is a stylised drawing of a building. No further references are made to the website or the content it hosts.

In the two panels at the bottom of page 157, the word 'autoandrophilia' is defined as 'refers to a person assigned female at birth who is sexually aroused at the thought or image of having male genitalia or being a man'. The author comments, "Wow. I never knew there was a word for that. For me."

On page 160, a section of the narrative commences that features the author's relationship with a woman known as 'Candidate Z'. On page 166, the author writes, "Fast-forward: We've been dating for two months, we've made out, we've had sex, we've moved on to sexting at work." Drawings then depict a series of messages from Candidate Z to the author, featuring the text, "I got a new strap-on harness today. I can't wait to put it on you it will fit my favourite dildo perfectly. You are going to look so hot. I can't wait to have your cock in my mouth – I'm going to give you the blow job of your life. Then I want you inside me." The author is depicted blushing and thinking, "This is the most turned on I've ever been in my life. I am dying." On page 167, Candidate Z is depicted from the author's perspective as she kneels and performs oral sex on a phallus that protrudes from the author's unzipped pants. This image is accompanied by the text, "This is the visual I'd been picturing." Below this, another drawing depicts the author wearing a strap-on dildo as Candidate Z kneels and sucks on the sex toy. This image is accompanied by the text, "But I can't feel anything. This was much hotter when it was only in my imagination." The author tells Candidate Z, "Let's try something else."

On pages 169 and 170, the author is depicted thinking about the sexual experience depicted on page 167. A series of thought bubbles feature the text: "I think the fact that I don't see myself as, or understand myself as, a female person but that most of the people I interact with do is actually damaging all my relationships, even ones with friends and family. Sex just throws this into high relief because it involves contact with genitals. This whole dating thing is making me more and more confused and less and less happy. I don't think I want to do it anymore."

On page 189, the author speaks with Jaina Bee, explaining, "I've been thinking about switching to they/them pronouns but for some reason that doesn't feel quite right. What pronouns do you use?" Jaina answers, "I use the Spivak pronouns e, em, eir, as in, 'Ask em what e wants in eir tea.'" The author replies, "I love those pronouns! I just got the biggest tingle down my spine." On page 191, the author writes, "As I pondered a pronoun change, I began to think of gender less as a scale and more as a landscape. Some people are born in the mountains, while others are born by the sea. Some people are happy to live in the place they were born, while others must make a journey to reach the climate in which they can flourish and grow. Between the ocean and the mountains is a wild forest. That is where I want to make my home."

The Board notes that the examples above outline descriptions and stylised depictions of themes of gender identity, sexuality and other themes which are inextricably linked with the elements of sex and nudity. In the Board's view, the depictions of nudity are stylised and do not increase the impact to high. The descriptions and depictions of sexual activity are also stylised and are not high in impact. The Board notes that there are references to sexual activity, such as masturbation, by a minor, however the Board considers that these references do not deal with matters of sex in such a way that they offend against the standards of morality, decency and propriety generally accepted by reasonable adults. The Board also considered that the depiction of an erect penis is stylised and can be accommodated within the Unrestricted classification.

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The Board notes that on page 134 there is a highly-stylised drawing of a work of ancient Greek art depicting a sexual encounter between an ancient Greek scholar and his student. However, given the historical context of the artwork, the narrative context of the publication and the stylisation of the imagery, the Board is of the opinion that this image does not depict a child under 18 years in a way that offends against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that it should not be classified.

The Board recognises that some content within this autobiographical text may offend some sections of the adult community. The Guidelines state that, “in considering each element, the Board makes classification decisions based on the impact of individual elements and their cumulative effect. Both the content and treatment of elements contribute to the impact. The Board takes into account the concepts underlying individual descriptions and depictions, and assesses factors such as emphasis, tone, frequency, context and the amount of visual or written detail in those descriptions and depictions.” Thus, specific content that may be accommodated within a certain classification within one context, may fall into a different classification within another context.

The Code (Clause 1) states that adults should be able to see, hear, play and read what they want, while minors should be protected from material that is likely to harm or disturb them. The Board is of the opinion that, in this publication, the treatment of themes, sex and nudity does not impart an impact so strong as to warrant legal restriction to adults. However, some of the events and recollections by the author may not be suitable for younger readers. Therefore, the publication is classified ‘Unrestricted’ with consumer advice of “M – not recommended for readers under 15 years of age”. This consumer advice does not constitute a legal restriction.

FRONT AND REAR COVERS

Covers must be suitable for display in public. The impact of any descriptions, depictions and references on covers should be low. Publications with covers which are not suitable for public display will not be permitted in the Unrestricted category.

The front cover is low in impact, therefore it is suitable for public display. The cover features the title *Gender Queer: A Memoir* and mirrored images of figures standing in water. The upper figure has short hair and is wearing a t-shirt and shorts while the lower figure has shoulder-length hair and is only wearing shorts. A circular marker notes that the publication has been recognised as a ‘Stonewall Honor Book’ by the American Library Association.

The rear cover is low in impact, therefore it is suitable for public display. The cover features a blurb, which reads in full: “In *Gender Queer*, Maia Kobabe has crafted an intensely cathartic autobiography about eir path to identifying as nonbinary and asexual, and coming out to eir family and society. By addressing questions about gender identity – what it means and how to think about it – the story also doubles as a much-needed, useful and touching guide.”

Decision:

This publication is classified Unrestricted with a consumer advice of M - Not recommended for readers under 15 years.

Classification Board Use only

Names of panel members constituted for decision:

s22(1)(a)(ii) - irrelevant material

Details of opinions:

Panelist	Opinion
s22(1)(a)(ii) - irrelevant material	

Details of Opinions (Including minority opinions): s22(1)(a)(ii) - irrelevant mat

A senior panellist has confirmed that the application considered was valid under the Act.

A senior panellist has confirmed that all members constituting the Board for this decision have considered the application and that this Decision Report is a true and accurate reflection of the Board's decision and any minority opinions.

Decision signed off by delegate:

Fiona Jolly

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s22(1)(a)(ii) - irrelevant material

From: classification.no-reply@govcms.gov.au on behalf of Australian Classification
<classification.no-reply@govcms.gov.au>
Sent: Thursday, 2 March 2023 2:23 PM
To: Classification Branch Applications
Subject: Classification Application [SEC=UNOFFICIAL]

A webform submission has been received via the Australian Classification website Contact us form.

Form submitted on Thu, 2023-03-02 14:22

Submitted values are:

My enquiry is about:

Applying to have a film, computer game or publication classified

Online form

First name

Bernard

Last name

Gaynor

State or Territory

QLD

Phone number

s47F - personal privacy

Email

s47F - personal privacy

Your enquiry

Hello,

If a publication (book) contains visual imagery that, for instance, shows an 11 year old girl masturbating or an adult male having sex with a boy, is there a requirement for the distributors/displayers of that book to seek a classification under the code?

In this specific instance, the book is being loaned by a council library to children. The council claims that because the publication has not been assessed as RC by the Classification Board that they can loan it to children.

As far as I am aware, the book has not been assessed at all. The book's title is 'Gender Queer' by Maia Kobabe.

Thank you,

Bernard Gaynor

I do not require a response

No

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s22(1)(a)(ii) - irrelevant material

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]   

[REDACTED]

UNOFFICIAL

From: classification.no-reply@govcms.gov.au <classification.no-reply@govcms.gov.au>

Sent: Wednesday, 5 April 2023 8:02 AM

To: enquiries <enquiries@classification.gov.au>

Subject: Classification Enquiry [SEC=UNOFFICIAL]

A webform submission has been received via the Australian Classification website Contact us form.

Form submitted on Wed, 2023-04-05 08:02

Submitted values are:

My enquiry is about:

Making a complaint about a classification decision

Online form

First name

Bernard

Last name

Gaynor

State or Territory
QLD

Phone number
s47F - personal privacy

Email
s47F - personal privacy

Your enquiry
Hello,

I am after a copy of the decision made in relation to the publication 'Gender Queer'.

I would also like to speak to someone about the process for lodging an appeal to this decision.

Please call me on s47F - personal privacy to explain the process to obtain this decision and appeal it.

Thanks,

Bernard Gaynor

I do not require a response
No

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Transport, Regional Development, Communications and the Arts



Australian Government
Classification Board

s47F - personal privacy

English Books Division Manager
Books Kinokuniya
The Galleries Level 2
500 George St
SYDNEY NSW 2000

By email: s47F - personal privacy @kinokuniya.co.jp

Dear s47F - personal privacy,

Gender Queer: A Memoir, unclassified book

I am the Director of the Classification Board of Australia (the **Board**) and am responsible for the classification of films, computer games and certain publications which may include books. I am writing to you regarding the unclassified book, ***Gender Queer: A Memoir***, by Maia Kobabe, which was viewed at Kinokuniya's Sydney store on 14 March 2023, and for sale online at australia.kinokuniya.com on 17 March 2023.

I am writing to advise you that ***Gender Queer: A Memoir*** has come to my attention and that I have reasonable grounds to believe that this book is a 'submittable publication' under the *Classification (Publications, Films and Computer Games) Act 1995 (Cth)*.

Under the Act a '**submittable publication**' means an unclassified publication that, having regard to section 9A or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:

- (a) are likely to cause the publication to be classified RC; or
- (b) are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
- (c) are unsuitable for a minor to see or read.

Section 46 of the *Classification (Publications, Films and Computer Games) Enforcement Act 1995 No 63 (NSW)* (the State Act) states:

- (1) If:
 - (a) the Director has reasonable grounds to believe that a publication is a submittable publication, and
 - (b) the publication is being published in New South Wales, or the Director has reasonable grounds to believe that it will be published in New South Wales, and
 - (c) the publication is not subject to a conditional cultural exemption,

the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application under the Commonwealth Act for classification of the publication (or of subsequent issues of the publication).

(2) A person to whom such a notice is given must comply with the notice within 3 business days after it is given.

Maximum penalty: 100 penalty units for an individual, 200 penalty units for a corporation.

Therefore, as Books Kinokuniya is making this book available for purchase in NSW, I am exercising the authority vested in me by the State Act to require you to submit an application for classification of ***Gender Queer: A Memoir*** within three business days.

This letter is a notice in writing for the purposes of subsection 46(1) of the State Act, and has been sent to you by both email and registered post.

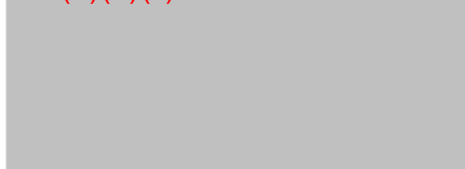
It is an offence not to comply within three business days after receiving this notice. If you are not able to comply with this requirement you must contact this office to discuss an alternative timeframe.

A notice of my decision will be published in the Commonwealth Gazette.

Information about how to apply, including the application form and fees, is available [here](#). The contact person for this matter is s22(1)(a)(ii) - irrelevant material Classification Services, Classification Branch, who can be contacted on s22(1)(a)(ii) - irrelevant material or enquiries@classification.gov.au.

Yours sincerely

s22(1)(a)(ii) - irrelevant material



Fiona Jolly
Director
17 March 2023

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s22(1)(a)(ii) - irrelevant material

From: classification.no-reply@govcms.gov.au on behalf of Australian Classification
<classification.no-reply@govcms.gov.au>
Sent: Wednesday, 1 March 2023 11:01 AM
To: enquiries
Subject: Classification Enquiry [SEC=UNOFFICIAL]

A webform submission has been received via the Australian Classification website Contact us form.

Form submitted on Wed, 2023-03-01 11:00

Submitted values are:

My enquiry is about:
A technical issue on the website

Online form

First name
Councillor

Last name

s47F - persc

Company
Logan City Council

State or Territory
QLD

Phone number

s47F - personal privacy

Email
s47F - personal privacy @logan.qld.gov.au

Your enquiry

hello we have received a complaint about a library offering called Gender Queer written by Maia Kobobe. I went to the site to see what classification the book was given and cannot find it on the 61,000+ titles and the search feature says nothing with that name is on the site. The complaint is that the book is pornographic and features sexualisation of children. Hoping you can offer any information if the book has been classified and if yes what rating it received so I can respond to the local resident.

I do not require a response
No

s22(1)(a)(ii) - irrelevant material

From: classification.no-reply@govcms.gov.au on behalf of Australian Classification
<classification.no-reply@govcms.gov.au>
Sent: Friday, 17 March 2023 5:40 PM
To: enquiries
Subject: Classification Enquiry [SEC=UNOFFICIAL]

Follow Up Flag: Follow up
Flag Status: Completed

Categories: log on PDMS

A webform submission has been received via the Australian Classification website Contact us form.

Form submitted on Fri, 2023-03-17 17:39

Submitted values are:

My enquiry is about:
 Making a complaint about a classification decision

Online form

First name

s47F - personal

Last name

s47F - personal

State or Territory

VIC

Email

s47F - personal privacy

Your enquiry

To the Australian Classification Board,
 I have read with concern and dismay the news that the police have referred Gender Queer by Maia Kobabe to the Australian Classification Board(ACB) for review. First, I would like to express my view as an former secondary school teacher and current librarian in defence of the book. I also have some questions about how the ACB will respond to the referral from the police that I hope you can answer.

I write to you as a librarian working for s47F - personal privacy in Victoria, and the convenor of the s47F - personal privacy s47F - personal privacy. While I work at the former and volunteer at the latter. The views expressed in this submission are my own and do not represent the views of those two organisations. In other words, this is a personal submission, although, of course, my professional experience and background informs my views.

I write to you concerned about the re-classification of the book and the pressure from right wing and conservative circles to ban the book by mischaracterising the book as 'pornography'. This is a vile, baseless accusation. The book explores issues of identity that have been long suppressed, marginalised and criminalised. This is just the latest attempt to attack queer people.

Additionally, it's worth noting, that graphic novels are more susceptible to attacks and challenges like this due to their visual nature. Fiction books with similar or even more troubling content are not challenged and are not classified/restricted. However, in this case, the fact that the book deals with issues of identity of marginalised people, together with the visual nature of the comics medium, makes it an easy target for conservative and christian activists who can grab a couple of pictures out of context, distort their nature and trash the book as well as the author - all without having to actually read the book.

In defending this graphic novel, it's important to note that Gender Queer by Maia Kobabe is a graphic novel that has been the recipient of multiple literary awards and has been very highly reviewed in respected and well established literary journals including the School Library Journal, the American Library Association, Publishers Weekly, Booklist. That alone should suffice to defend the book. These are highly respected professional organisations and journals.

It's also important to note that, though the book is written and published with an adult reader in mind, it received the Alex Book Award by the American Library Association, which is given to books written for adults that have a special appeal for young adult readers. This is relevant, as the library in Queensland had one copy of the book in the Young Adult collection and three others in the adult biography collection.

We know that high school students are sexually active in their teens and safe sex is essential. Students in secondary college receive and discuss sexual education. As an ex-teacher, I know that these classes and discussions can often be uncomfortable for students and teachers, but we do them because they are incredibly important and essential for safe relationships and health.

We know that teenagers go through many changes in both body and mind. Teenage years are tough, with kids growing up to adulthood and figuring their identity, who they are, and who they want to be.

We also know that queer teenagers, including non-binary teenagers, which is what this book focuses on, struggle to understand their feelings and their identity. Particularly, in a society where these identities were criminalised until recently, and where they continue to be marginalised. Teenage suicide, particularly teenage queer suicide, is real, troubling and disturbing.

Gender Queer by Maia Kobabe may be a very uncomfortable book to some but it's the kind of insightful and positive first hand account of what many people are going through that can have a very positive impact, educating and informing the reader through an accessible visual medium. I believe that this graphic novel will have a great impact for queer people who are questioning and working out their identity.

It will also have a very positive impact on people who are not queer but want to inform themselves and learn. I'm not queer but this graphic novel helped me understand non-binary people and their struggle in a very accessible and informative way. I strongly encourage the ACB to take into account the positive contribution this book makes for people who have suffered for so long and the support and education it provides to those who are questioning their identity or who know with certainty that they are different but cannot yet understand or express how.

As a former secondary school teacher and a librarian, I urge the board not give in to minority (though vocal) reactionary political forces. I fear the damage that this will do on people who have already suffered and continue to suffer intolerance, discrimination and alienation. In teaching, it's often said that we need to be uncomfortable and challenge ourselves in order to learn. The same can be said here. It's books like this that challenge us and help us to grow in understanding and empathy.

Finally, I'd like to add that this graphic novel was part of one of the s47F - personal privacy sessions last year and in opinion of the librarians that participated in the discussions this is a really important and powerful graphic novel aimed for adult readers that will also appeal to upper secondary young adults.

I would like to know how the ACB will review the referral from the police for Gender Queer. by Maia Kobabe. What criteria will be used to assess the graphic novel and whether the board will consider the awards and recognition and positive reviews it has received from professional bodies and literary journals.

I look forward to your response.

Regards

s47F - personal privacy

I do not require a response

No

FOI 23-239

s22(1)(a)(ii) - irrelevant material

From: Jolly, Fiona
Sent: Tuesday, 14 March 2023 10:23 AM
To: s22(1)(a)(ii) - irrelevant material Vassiliadis, Maria
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: 9 News.com.au article: Gender identity memoir removed from Queensland library shelf, referred by police to classification board [SEC=OFFICIAL]

OFFICIAL

Thank you s22(1)(a)(ii) - irrelevant material
 Fiona

Fiona Jolly

Director / Classification Board

P +61 2 9289 s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

Level 6, 23-33 Mary Street, Surry Hills NSW 2010 / Locked Bag 3, Haymarket NSW 1240
www.classification.gov.au



*I would like to acknowledge the traditional custodians of this land on which we meet, work and live.
 I recognise and respect their continuing connection to the land, waters and communities.
 I pay my respect to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

OFFICIAL

From: s22(1)(a)(ii) - irrelevant material
Sent: Tuesday, 14 March 2023 10:01 AM
To: Jolly, Fiona ; Vassiliadis, Maria
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: 9 News.com.au article: Gender identity memoir removed from Queensland library shelf, referred by police to classification board [SEC=OFFICIAL]

OFFICIAL

Please find attached file note of conversation s22(1)(a)(ii) - irrelevant material had with Logan Police last week.

s22(1)(a)(ii) - irrelevant material has indicated the police officer she spoke with was happy with the information she provided to him. She explained the application process, enforcement responsibilities (S&T) and how to check whether a publication has been classified. He advised he was going to check the data base to see if other titles Mr Gaynor had complained about had been classified.

Thanks

Cheers

s22(1)(a)(ii) - i

OFFICIAL

s22(1)(a)(ii) - irrelevant material

OFFICIAL

s22(1)(a)(ii) - irrelevant material

OFFICIAL

s22(1)(a)(ii) - irrelevant material

OFFICIAL

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

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Transport, Regional Development, Communications and the Arts

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Thursday, 9 March 2023 5:38 PM
To: s22(1)(a)(ii) - irrelevant material
Subject: Police officer - Logan Police [SEC=UNOFFICIAL]

UNOFFICIAL

Hi s22(1)(a)(ii) - irrelevant material

Just letting you know I have spoken with a Sgt from Logan police in QLD, he has had a complaint by Bernard Gaynor re multiple "pornographic" titles available in the Logan Library. I referred him to the NCD to do a data check on the titles and also made him aware of the Office of Fair Trading (QLD Classification enforcement contact). I also informed him that anyone can apply to have a classification decision made. He was going to do some checks and liaise with the complainant.

Regards

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

Department of Infrastructure, Transport, Regional Development and Communications

s22(1)(a)(ii) - irrelevant material

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FOI 23-239

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Monday, 20 March 2023 5:05 PM
To: s22(1)(a)(ii) - irrelevant material Jolly, Fiona; Vassiliadis, Maria
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: NO additional enquires received for Gender Queer as at 5pm 20/3. EOM [SEC=OFFICIAL]

OFFICIAL

Thanks s22(1)(a)(ii) - irrelevant material, good to know!

OFFICIAL

From: s22(1)(a)(ii) - irrelevant material
Sent: Monday, 20 March 2023 5:03 PM
To: Jolly, Fiona ; Vassiliadis, Maria
Cc: s22(1)(a)(ii) - irrelevant material
Subject: NO additional enquires received for Gender Queer as at 5pm 20/3. EOM [SEC=OFFICIAL]

OFFICIAL

s22(1)(a)(ii) - irrelevant material
 s22(1)(a)(ii) - irrelevant material • Classification Services / Classification Branch • Online Safety and Media Platform
 s22(1)(a)(ii) - irrelevant material s@infrastructure.gov.au
 P +61 2 9289 s22(1)(a)(ii)
 GPO Box 594 Canberra, ACT 2601

Department of Infrastructure, Transport, Regional Development, Communications and the Arts
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 I recognise and respect their continuing connection to the land, waters and communities.
 I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

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FOI 23-239

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Tuesday, 14 March 2023 9:55 AM
To: Jolly, Fiona; Vassiliadis, Maria
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: 9 News.com.au article: Gender identity memoir removed from Queensland library shelf, referred by police to classification board [SEC=OFFICIAL]

OFFICIAL

Hi Fiona

The team have been checking and nothing has come through. I will keep you informed if we have any other movement of this issue.

Cheers

s22(1)(a)(ii) - irrelevant material

OFFICIAL

From: Jolly, Fiona
Sent: Tuesday, 14 March 2023 9:51 AM
To: Vassiliadis, Maria ; s22(1)(a)(ii) - irrelevant material
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: 9 News.com.au article: Gender identity memoir removed from Queensland library shelf, referred by police to classification board [SEC=OFFICIAL]

OFFICIAL

Morning all

s22(1)(a)(ii) - irrelevant you may need to check if we have received an application now (if you haven't already)? s22(1)(a)(ii) - irrelevant said he thought we might have but he may have just thought that from the report.
 thank you
 Fiona

Fiona Jolly

Director / Classification Board

P +61 2 9289 s22(1)(a)(ii) - irrelevant

M s22(1)(a)(ii) - irrelevant

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OFFICIAL

From: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>

Sent: Tuesday, 14 March 2023 9:49 AM

To: Jolly, Fiona <fiona.jolly@classification.gov.au>; s22(1)(a)(ii) - irrelevant material

Cc: s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

Subject: FW: 9 News.com.au article: Gender identity memoir removed from Queensland library shelf, referred by police to classification board [SEC=OFFICIAL]

OFFICIAL

Hi Fiona and s22(1)(a)(ii) - irrelevant material you will have noticed that the piece is not accurate as we have not had this referred to us by police. Presume Fiona your view remains that we are not calling this in without further information given the board's position last week.

If so s22(1)(a)(ii) - irrelevant material can you /yours pls loop Media in to say that the piece is not accurate and discuss whether a correction is merited.

Happy to discuss further this morning as needed.

Thanks

Maria Vassiliadis

Assistant Secretary • Classification Branch • Online Safety, Media and Platforms Division

maria.vassiliadis@classification.gov.au

P 02 9289 s22(1)(a)(ii) - irrelevant material

GPO Box 594 Canberra, ACT 2601

Level 6, 23-33 Mary Street, Surry Hills

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

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I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.

OFFICIAL

From: s22(1)(a)(ii) - irrelevant material

Sent: Tuesday, 14 March 2023 9:17 AM

To: Media <media@communications.gov.au>; Jolly, Fiona <fiona.jolly@classification.gov.au>

Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>

Subject: FW: 9 News.com.au article: Gender identity memoir removed from Queensland library shelf, referred by police to classification board [SEC=OFFICIAL]

OFFICIAL

Good morning Media Team and Fiona

Flagging an article that has been published (yesterday) regarding the media enquiry we received last week. We have received no other correspondence (to date).

Thanks

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

Classification Branch • Online Safety, Media and Platforms Division
@infrastructure.gov.au

s22(1)(a)(ii) - irrelevant material

Level 6, 23-33 Mary St, Surry Hills 2010
GPO Box 594 Canberra, ACT 2601

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OFFICIAL

From: s22(1)(a)(ii) - irrelevant material

Sent: Tuesday, 14 March 2023 8:33 AM

To: s22(1)(a)(ii) - irrelevant material

Subject: 9 News.com.au article: Gender identity memoir removed from Queensland library shelf, referred by police to classification board [SEC=OFFICIAL]

OFFICIAL

Good morning all,

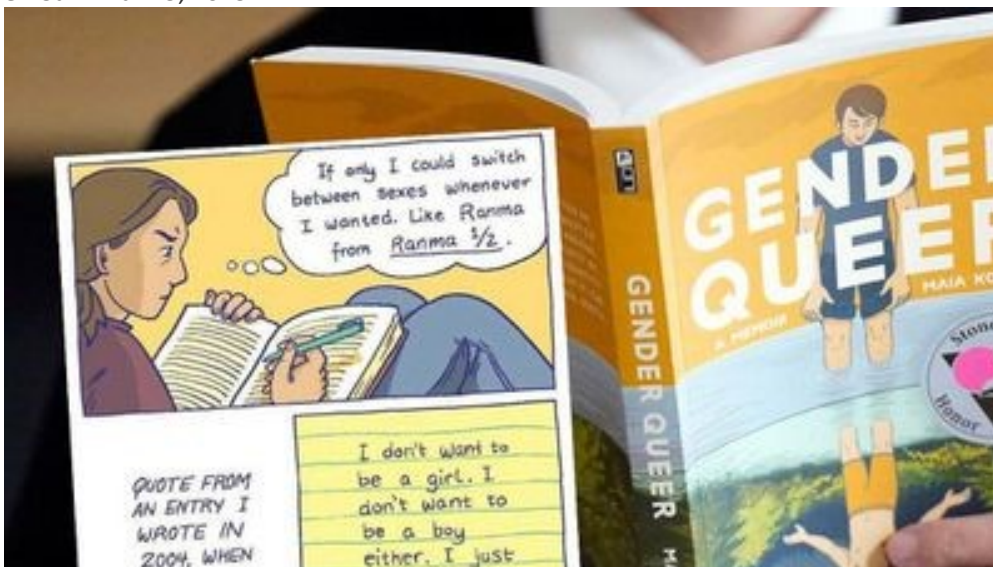
The article that we had the media enquiry about last week has been published online:

[Gender Queer removed from library shelf, referred by police to classification board | Exclusive \(9news.com.au\)](#)

Gender identity memoir removed from Queensland library shelf, referred by police to classification board

By Mark Saunokonoko • Senior Journalist

8:13am Mar 13, 2023



Gender Queer: A Memoir by author Maia Kobabe, the most banned book in the US, has been flagged for review in Australia.

- [Tweet](#)
- [Facebook](#)
- [Mail](#)

Exclusive: A gender identity memoir aimed at teenage readers has been referred by police to the Australian Classification Board (ACB) after a complaint made by a conservative activist saw the book removed from the shelves of a [Queensland](#) library.

Following a four-day investigation, Queensland Police confirmed to 9news.com.au they flagged Gender Queer: A Memoir to the ACB on Thursday for review.

Gender Queer, which includes illustrations of masturbation, sex toys and oral sex, is written by Maia Kobabe, a nonbinary author from California. The 2019 graphic novel is centred on coming out to friends and family.



Gender Queer: A Memoir

documents author Maia Kobabe's coming out to friends and family. (AP / Rick Bowmer)

The 239-page memoir is the most commonly banned book in the United States, according to the American Library Association.

Kobabe and supporters of the novel insist it can help confused teens identify, by providing a language for the trans and [nonbinary](#) community, and unpacking the feelings young people may be experiencing.

The graphic novel is available to loan at a number of libraries across the country, including Logan Central Library.

9news.com.au understands that after conservative activist Bernard Gaynor, 43, made a complaint to Logan City Council, the book was removed from shelves but remained available to borrow for anyone who requested it.

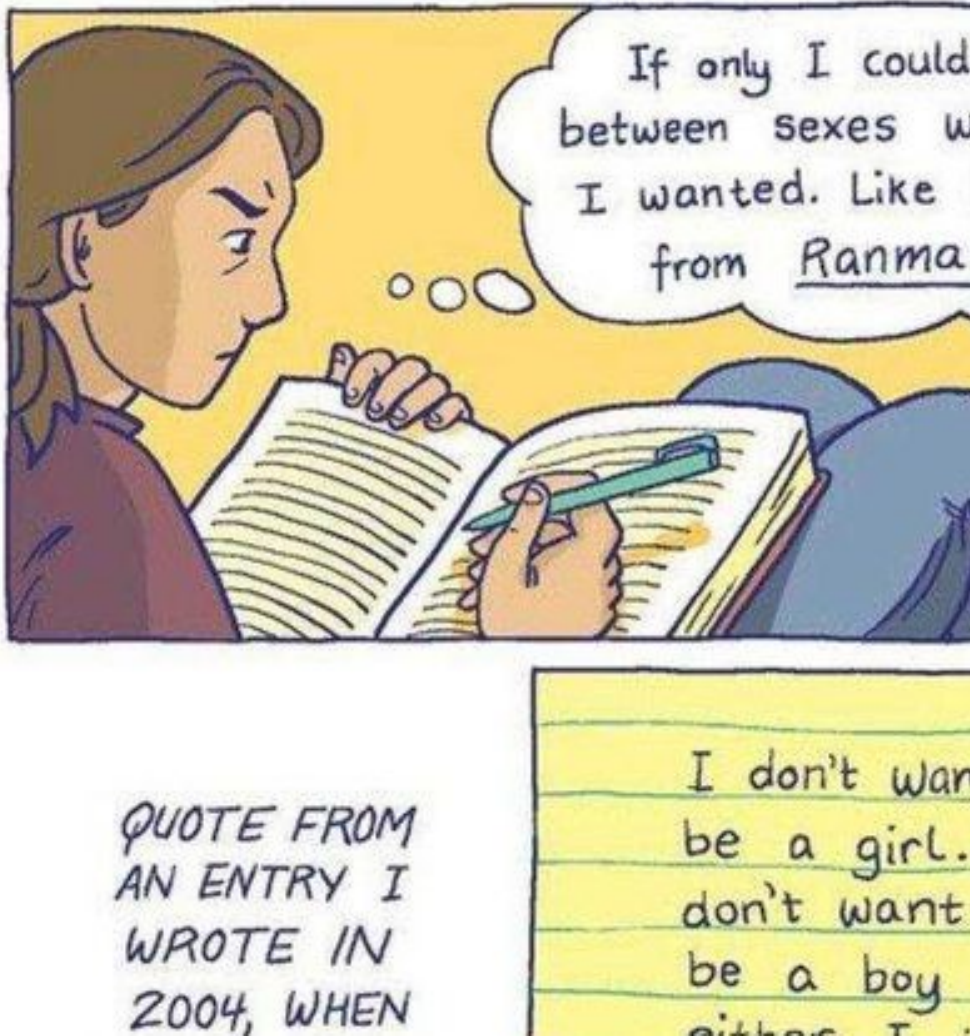
Gaynor's complaint is that he believes the book, which has won multiple literary awards, is pornographic.

He said one scene which shows a sexual fantasy involving a man and boy, inspired by Plato's *The Symposium*, is evidence the book contains child abuse material.

Gaynor contacted [police](#) on Saturday, March 4, lodging official complaints about *Gender Queer* and four other titles at the library, which he claimed breached the criminal code in relation to child exploitation material and exposing children to sexually explicit material.

Logan council said it did not wish to make any comment on the book, or the complaint from Gaynor, other than it is "reviewing the matter".

Do you know more? Email msaunokonoko@nine.com.au



A page from the graphic novel.

Author Maia Kobabe now uses the pronouns e/em/eir. (Gender Queer: A Memoir)

Until the book was referred by police, the Classification Board confirmed to 9news.com.au it had not classified *Gender Queer*, nor had it received any requests to review it.

The agency has the power to censor, restrict and ban films, literature and other content.

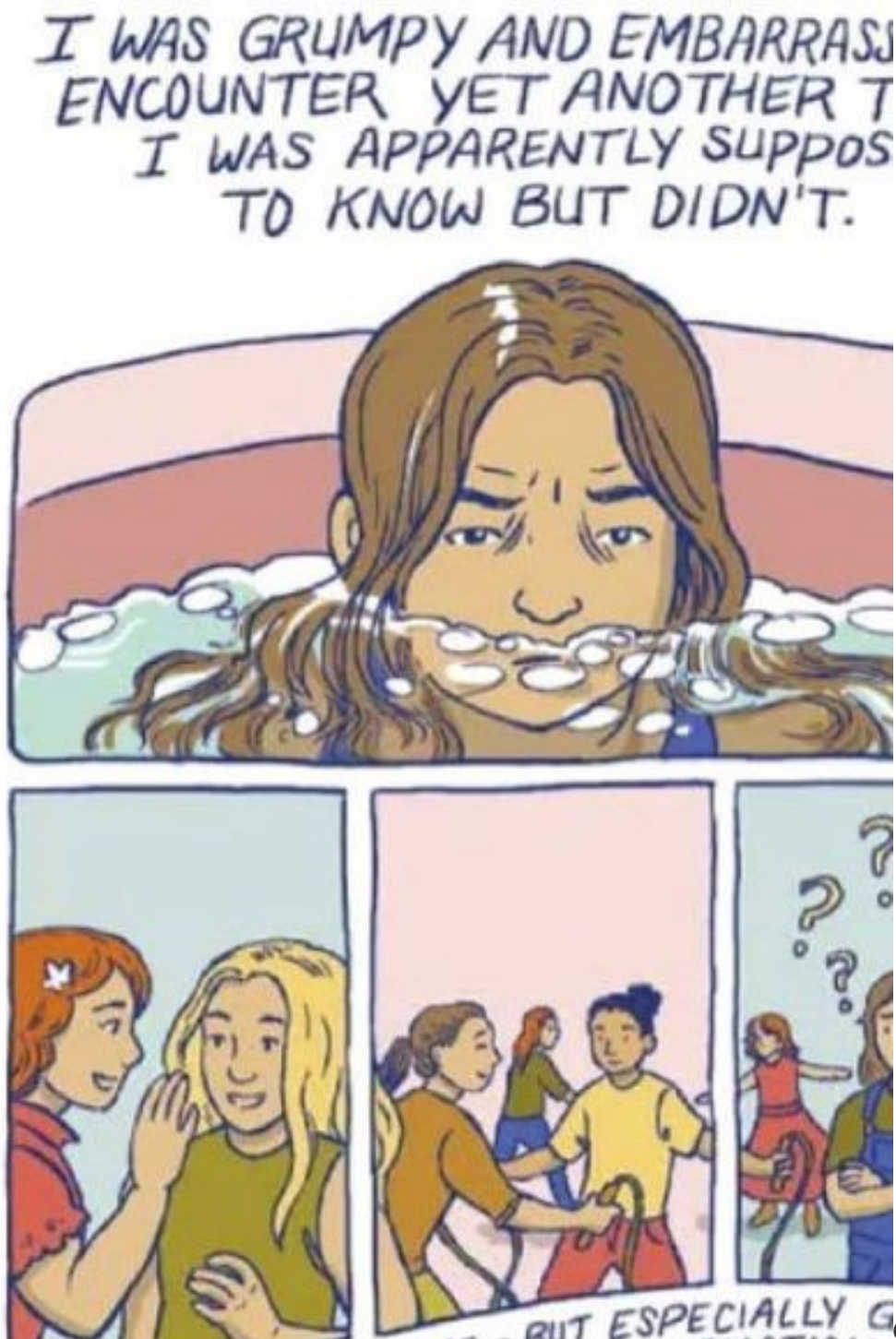
"Generally publications do not need to be classified before being made available in libraries," a spokesperson said.

"The only publications that are required to be submitted to the Classification Board to be classified are those that would contain content that may be restricted to adults or refused classification."

Iraq war veteran Gaynor was sacked as an Australian Defence Force reservist in 2013 for making [anti-gay](#) comments on social media, later winning an appeal against the decision, only for the court to then overturn that ruling.

Gaynor said his police complaint has nothing to do with the gender identity debate.

"The book is highly pornographic," he said. "And that alone is enough to have it removed from the library, regardless of what people might think about the book's content."



Gender Queer is a personal story that focuses on gender identity, and the confusion some young people face. (Gender Queer: A Memoir) Speaking on a podcast with US organisation GLAAD last year, Kobabe said the memoir was about figuring out who you are.

"I started questioning these topics when I was like 12, 13 years old, and then didn't come out as nonbinary until I was 25," Kobabe said.

"Having a book like this, or any book that explored nonbinary identity, would have probably taken 10 years of confusion and uncertainty out of my life."

Kobabe said sweeping bans of the book in the US felt like a "generalised attack on queer and trans narratives" that the memoir was caught up in.

"My book is uniquely vulnerable because it is a comic, and because people can very quickly flip open to one or two images that they don't agree with or make them uncomfortable, and share those out of context on social media."

9news.com.au has seen correspondence from Logan council stating the council was not breaking any laws by stocking *Gender Queer*, because there had been no ruling or review from ACB dictating otherwise.

There are five copies of *Gender Queer* held in various libraries across Logan.

Logan Central Library was the only library to stock the book in its Young Adult Fiction section, according to the library website.

The four other libraries have the book in the Biography section.

As well as *Gender Queer*, Gaynor said he also flagged to police concerns over other titles in the library, including Japanese-style manga graphic novels.

He has started a petition to remove Kobabe's book, which currently has over 1000 signatures.

9news.com.au has contacted literary agent Wernick & Pratt, who represents Kobabe, for comment.

On its website, Simon & Schuster, the book's distributor, said Kobabe's memoir describes "what it means to be nonbinary and asexual" and "a useful and touching guide on gender identity ... for advocates, friends, and humans everywhere".

If you need help contact Lifeline – 13 11 14 or Beyond Blue - 1800 51 23 48 or Kids Helpline (1800 55 18 00) which operates 24/7 for children and young people ages five to 25.

Kind regards,

s22(1)(a)(ii) - irrelevant material

• Classification Services • Classification Branch

Online Safety, Media and Platforms Division

s22(1)(a)(ii) - irrelevant material

communications.gov.au

s22(1)(a)(ii) - irrelevant material

Locked Bag 3 Haymarket NSW 1240

www.classification.gov.au

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

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OFFICIAL

*Released under FOI Act 1982 by Department of Infrastructure,
Transport, Regional Development, Communications and the Arts*

FOI 23-239

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Thursday, 9 March 2023 9:24 AM
To: Jolly, Fiona
Cc: Vassiliadis, Maria
Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Hi Fiona

No we have only received the **two** pieces of correspondence I attached yesterday.

Thanks

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

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[@infrastructure.gov.au](https://infrastructure.gov.au)

s22(1)(a)(ii) - irrelevant material

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From: Jolly, Fiona
Sent: Thursday, 9 March 2023 8:53 AM
 s22(1)(a)(ii) - irrelevant material
Cc: Vassiliadis, Maria
Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Thanks s22(1)(a)(ii) - irrelevant

Overnight I was wondering if it is possible to find out if we have had any correspondence about this publication in the past. It might be good to know if we have previously taken a position?

Id be Grateful if there is any way for you to find out.

Thank you

Fiona

Fiona Jolly

Director / Classification Board

P +61 2 9289 s22(1)(a)(ii)

s22(1)(a)(ii) - irrelevant material

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OFFICIAL

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Sent: Wednesday, 8 March 2023 4:24 PM

To: Jolly, Fiona <fiona.jolly@classification.gov.au>

Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>

Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Hi Fiona and Maria,

Please see the attached blog which has been posted today:

Posted By Bernard Gaynor on Wednesday, March 8, 2023 12:31 | 0 comments [Penguin Australia dumps its child porn - Amazon Australia still selling it... – Bernard Gaynor](#)

Posted By Bernard Gaynor on Monday, March 6, 2023 3:39 pm | 0 comments [Government taxes child porn sales for GST – Bernard Gaynor](#) – I note he has referred the sale of manga books, classified RC (but still available on line) to Queensland police

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This last link includes a **petition to automatically email Logan City Council to have Gender Queer removed** from its libraries today. Appears to have 1002 signatures at this point in time.

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From:

s22(1)(a)(ii) - irrelevant material

Sent: Wednesday, 8 March 2023 3:54 PM

To: Jolly, Fiona <fiona.jolly@classification.gov.au>Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>

Subject: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Hi Fiona

I wanted to bring to your attention two enquiries we have received via the Classification contact us website about a publication call 'Gender Queer'. Please find attached.

The following facts are relevant:

- The Australian Classification Board has not classified, or received an application to classify, the book *Gender Queer: A Memoir*.
- Generally publications do not need to be classified before being made available in libraries. The only publications that are required to be submitted to the Classification Board to be classified are 'submittable publications', containing content that may need to be restricted to adults or may potentially be refused classification.
- Anyone can submit a publication to be classified by the Classification Board for a fee, however it is rare for books to be submitted for classification.
- Enforcement of classification under the National Classification Scheme is a matter for states and territories.

The complaint has also gone to the Treasurer's Office to complain about the book *Gender Queer* being publicly available in the Logan City Library. (see below).

From: Bernard Gaynor

Subject: Remove 'Gender Queer' from Logan City Council libraries TODAY!

Dear Mayor, CEO and Councillors of Logan City Council,

Logan City Council libraries continue to hold copies of *Gender Queer*, even though this obscene book promotes and pornographically depicts:

- masturbation and an 11 year old girl engaged in this act;
- homosexual activity and sexual behaviour;
- pederasty and a man engaged in homosexual activity with a boy;
- sex toys, 'strap ons' and 'dildos' and sexual activity between two women.

The book also promotes a pornographic website that specialises in profiting off depraved and humiliating simulated sexual violence against women.

It is not enough for Logan City Council to remove this book from shelves containing books written for children. This book contains obscene material that the vast majority of reasonable people in Logan and Australia find offensive and would consider to depict the sexual abuse of children.

Gender Queer should be removed from Logan City Council libraries completely. This should happen today.

Next steps:

As Director of the Board, you may wish to consider whether you wish to "call in" the publication and classify it. (see below), or advice the Council that it could be submitted for classification.

Division 3—Submittable publications

23 Calling in submittable publications for classification

(1) If:

(a) the Director has reasonable grounds to believe that a publication is a submittable publication; and

(b) the publication is being published in the Australian Capital Territory, or the Director has reasonable grounds to believe that it will be published in the Australian Capital Territory; and

(c) if the publication is being published in the Australian Capital Territory—the publication is not subject to a conditional cultural exemption in relation to the publication; the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application for classification of the publication, or of subsequent issues of the publication, by the Board.

(2) The Director must cause notice of a decision under subsection (1) to be published in the Gazette.

(3) A person to whom a notice under this section is given must, within 3 business days after receiving the notice, comply with the notice.

Penalty: 20 penalty units.

(4) An offence against subsection (3) is a strict liability offence.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5) It is a defence to a prosecution for an offence against subsection (3) if the defendant proves that he or she did not intend to:

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Background on Bernard Gaynor – from his website:

[Remove Gender Queer from Logan City Council Libraries – Bernard Gaynor](#) . “Bernard Gaynor is a conservative Catholic who has the courage to speak up when politically-correct totalitarianism demands silence. He is deeply interested in the loss of values in modern society and its impact on all aspects of life - particularly politics - and he is prepared to break all boundaries of political correctness to get his point across.

With a background in military intelligence, Arabic language and culture (including three deployments to Iraq with the Australian Army) he is also critical of modern thinking and quick to defend Australia’s way of life.

As a married father of eight children, he is an advocate for family values that work; the protection of children and all life; and the preservation of Australian society from those who would replace its Christian heritage”

Happy to discuss.

s22(1)(a)(ii) - irrelevant material

Classification Services / Classification Branch • Online Safety and Media Platform

s22(1)(a)(ii) - irrelevant material [@infrastructure.gov.au](mailto:infrastructure.gov.au)

s22(1)(a)(ii) - irrelevant material

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FOI 23-239

s22(1)(a)(ii) - irrelevant material

From: Jolly, Fiona
Sent: Thursday, 9 March 2023 9:02 AM
To: s22(1)(a)(ii) - irrelevant material
Cc: Vassiliadis, Maria
Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

[Gender Queer, A Memoir by Maia Kobabe | 9781549304002 | Booktopia](#) – 2019

Recommended for Year 11+ kids. I think it looks fine but am just polling the Board to see if anyone fees strongly otherwise.

Will get back to you shortly
 Fiona

Fiona Jolly

Director / Classification Board

P +61 2 9289 s22(1)(a)(ii) - irrelevant material

M s22(1)(a)(ii) - irrelevant material

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www.classification.gov.au



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Cc: Vassiliadis, Maria
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s22(1)(a)(i) - irrelevant material

s22(1)(a)(i) - irrelevant material

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s22(1)(a)(ii) - irrelevant material

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Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>
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(b) the publication is being published in the Australian Capital

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(2) The Director must cause notice of a decision under subsection (1) to be published in the Gazette.

(3) A person to whom a notice under this section is given must, within 3 business days after receiving the notice, comply with the notice.

Penalty: 20 penalty units.

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Note: For strict liability, see section 6.1 of the Criminal Code.

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Happy to discuss.

s22(1)(a)(ii) - irrelevant material

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s22(1)(a)(ii) - irrelevant material [@infrastructure.gov.au](mailto:infrastructure.gov.au)

s22(1)(a)(ii) - irrelevant material

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OFFICIAL

*Released under FOI Act 1982 by Department of Infrastructure,
Transport, Regional Development, Communications and the Arts*

FOI 23-239

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Wednesday, 15 March 2023 1:23 PM
To: Jolly, Fiona; enquiries
Cc: Vassiliadis, Maria; s22(1)(a)(ii) - irrelevant material
Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Thanks Fiona

We will commence that process.

I will also update the media response for your review.

Cheers

s22(1)(a)(ii) - irrelevant material

• Classification Branch • Online Safety, Media and Platforms Division

s22(1)(a)(ii) - irrelevant material

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s22(1)(a)(ii) - irrelevant material

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From: Jolly, Fiona
Sent: Wednesday, 15 March 2023 1:22 PM
To: enquiries ; Ellis, Vicky
Cc: Vassiliadis, Maria ; s22(1)(a)(ii) - irrelevant material
Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Good afternoon s22(1)(a)(ii) - irrelevant material and team

Upon consideration of the continuing media interest in this publication, and further discussion with the Board as to whether the publication might be considered to be a submittable publication I have decided to call in the publication for assessment by the Board. I would be grateful if you can please prepare a notice to the publisher to this effect for my signature.

Thank you

Fiona

Fiona Jolly

Director / Classification Board

P +61 2 9289 s22(1)(a)(i) - irrelevant

M s22(1)(a)(ii) - irrelevant material

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From: Jolly, Fiona

Sent: Thursday, 9 March 2023 3:06 PM

To: enquiries <enquiries@classification.gov.au>

Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>

Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Thanks

s22(1)(a)(ii) - irrelevant material

We note that the book is publicly available for sale and is marketed as suitable for older teenagers as a story about a teenager coming to terms with gender. In my view the information provided indicates that the publication is unlikely to meet the criteria under the definition of 'submittable publication' in the Act.

Thank you

Fiona

Fiona Jolly

Director / Classification Board

P +61 2 9289 s22(1)(a)(i) - irrelevant material

M s22(1)(a)(ii) - irrelevant material

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From: enquiries <enquiries@classification.gov.au>
Sent: Thursday, 9 March 2023 2:43 PM
To: Jolly, Fiona <fiona.jolly@classification.gov.au>
Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>
Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Thanks Fiona

Can you please provide a couple of dot points we can provide up the line (if asked).

Thanks

Cheers

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

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Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>
Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Hi s22(1)(a)(ii) - irrelevant material

Confirming that the Board will not call in this publication.

Thank you

Fiona

Fiona Jolly

Director / Classification Board

P +61 2 9289 s22(1)(a)(ii) - irrelevant material

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From: s22(1)(a)(ii) - irrelevant material

Sent: Wednesday, 8 March 2023 4:24 PM

To: Jolly, Fiona <fiona.jolly@classification.gov.au>

Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>

Subject: RE: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Hi Fiona and Maria,

Please see the attached blog which has been posted today:

Posted By Bernard Gaynor on Wednesday, March 8, 2023 12:31 | 0 comments [Penguin Australia dumps its child porn - Amazon Australia still selling it... – Bernard Gaynor](#)

Posted By Bernard Gaynor on Monday, March 6, 2023 3:39 pm | 0 comments [Government taxes child porn sales for GST – Bernard Gaynor](#) – I note he has referred the sale of manga books, classified RC (but still available on line) to Queensland police

Posted By Bernard Gaynor on Wednesday, March 1, 2023 8:43 am | 11 comments [Logan City Council's porn for kiddies \(with added kiddy porn\) – Bernard Gaynor](#)

This last link includes a **petition to automatically email Logan City Council to have *Gender Queer* removed** from its libraries today. Appears to have 1002 signatures at this point in time.

s22(1)(a)(ii) - irrelevant material

• Classification Branch • Online Safety, Media and Platforms Division

s22(1)(a)(ii) - irrelevant material

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*I would like to acknowledge the traditional custodians of this land on which we meet, work and live.
I recognise and respect their continuing connection to the land, waters and communities.
I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

OFFICIAL

s22(1)(a)(ii) - irrelevant material

Sent: Wednesday, 8 March 2023 3:54 PM
To: Jolly, Fiona <fiona.jolly@classification.gov.au>
Cc: Vassiliadis, Maria <maria.vassiliadis@classification.gov.au>
Subject: complaint about publication - Gender Queer. [SEC=OFFICIAL]

OFFICIAL

Hi Fiona

I wanted to bring to your attention two enquiries we have received via the Classification contact us website about a publication call 'Gender Queer'. Please find attached.

The following facts are relevant:

- The Australian Classification Board has not classified, or received an application to classify, the book *Gender Queer: A Memoir*.
- Generally publications do not need to be classified before being made available in libraries. The only publications that are required to be submitted to the Classification Board to be classified are 'submittable publications', containing content that may need to be restricted to adults or may potentially be refused classification.
- Anyone can submit a publication to be classified by the Classification Board for a fee, however it is rare for books to be submitted for classification.
- Enforcement of classification under the National Classification Scheme is a matter for states and territories.

The complaint has also gone to the Treasurer's Office to complain about the book *Gender Queer* being publicly available in the Logan City Library. (see below).

From: Bernard Gaynor

Subject: Remove 'Gender Queer' from Logan City Council libraries TODAY!

Dear Mayor, CEO and Councillors of Logan City Council,

Logan City Council libraries continue to hold copies of *Gender Queer*, even though this obscene book promotes and pornographically depicts:

- masturbation and an 11 year old girl engaged in this act;
- homosexual activity and sexual behaviour;
- pederasty and a man engaged in homosexual activity with a boy;
- sex toys, 'strap ons' and 'dildos' and sexual activity between two women.

The book also promotes a pornographic website that specialises in profiting off depraved and humiliating simulated sexual violence against women.

It is not enough for Logan City Council to remove this book from shelves containing books written for children. This book contains obscene material that the vast majority of reasonable people in Logan and Australia find offensive and would consider to depict the sexual abuse of children.

Gender Queer should be removed from Logan City Council libraries completely. This should happen today.

Next steps:

As Director of the Board, you may wish to consider whether you wish to "call in" the publication and classify it. (see below), or advice the Council that it could be submitted for classification.

Division 3—Submittable publications

23 Calling in submittable publications for classification

(1) If:

- (a) the Director has reasonable grounds to believe that a publication is a submittable publication; and
 - (b) the publication is being published in the Australian Capital Territory, or the Director has reasonable grounds to believe that it will be published in the Australian Capital Territory; and
 - (c) if the publication is being published in the Australian Capital Territory—the publication is not subject to a conditional cultural exemption in relation to the publication;
- the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application for classification of the publication, or of subsequent issues of the publication, by the Board.

(2) The Director must cause notice of a decision under subsection (1)

to be published in the Gazette.

(3) A person to whom a notice under this section is given must, within 3 business days after receiving the notice, comply with the notice.

Penalty: 20 penalty units.

(4) An offence against subsection (3) is a strict liability offence.

Note: For strict liability, see section 6.1 of the Criminal Code.

(5) It is a defence to a prosecution for an offence against subsection (3) if the defendant proves that he or she did not intend to:

- (a) publish the publication in the Australian Capital Territory; or
- (b) cause, authorise, permit or licence the publication to be published in the Australian Capital Territory.

Background on Bernard Gaynor – from his website:

[Remove Gender Queer from Logan City Council Libraries – Bernard Gaynor](#) . “Bernard Gaynor is a conservative Catholic who has the courage to speak up when politically-correct totalitarianism demands silence. He is deeply interested in the loss of values in modern society and its impact on all aspects of life - particularly politics - and he is prepared to break all boundaries of political correctness to get his point across.

With a background in military intelligence, Arabic language and culture (including three deployments to Iraq with the Australian Army) he is also critical of modern thinking and quick to defend Australia’s way of life.

As a married father of eight children, he is an advocate for family values that work; the protection of children and all life; and the preservation of Australian society from those who would replace its Christian heritage”

Happy to discuss.

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